

Subject:	Bike Share (TRO Objections)
Date of Meeting:	14 March 2017
Report of:	Executive Director Environment, Economy and Culture
Contact Officer:	Name: Abby Hone Tel: 29-0390
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Ward(s) affected:	Brunswick & Adelaide, Central Hove, East Brighton, Goldsmid, Hanover & Elm Grove, Hollingdean & Stanmer, Hove Park, Moulsecoomb & Bevendean, Preston Park, Queen's Park, Regency, Rottingdean Coastal, St Peter's & North Laine

FOR GENERAL RELEASE**1. PURPOSE OF REPORT & POLICY CONTEXT**

- 1.1 The purpose of this report is to consider comments and objections received in relation to proposed Traffic Regulation Orders (TRO) associated with sites identified for the Brighton & Hove Bike Share Scheme.
- 1.2 The current Traffic Regulation Orders authorise the installation of Bike Share docking points (hubs) in:
- Abbey Road (together with re-provision of car parking elsewhere in Abbey Road and Great College Street);
 - Brunswick Place;
 - Eaton Road;
 - George Street (Hove);
 - Edward Street;
 - Montague Place;
 - Rock Street;
 - Shaftesbury Place;
 - Station Approach;
 - St George's Road;
 - St James's Street;
 - Whitecross Street.
- 1.3 Location plans are provided in Appendix A.
- 1.4 The report also documents a statutory consultation process undertaken for sites located in public open spaces to enable land to be leased to the Bike Share Operator.
- 1.5 All other provisional sites are provided for background, though it should be noted that these are subject to agreement with the Operator and private land owners where applicable. The purpose of this report is however to seek agreement for

those sites where Traffic Regulation Orders or Open Spaces Notices have been required.

2. RECOMMENDATIONS:

- 2.1 That, having taken account of all duly made representations and objections, Committee Members approve as advertised the following order:

Brighton & Hove Various Controlled Parking Zones Consolidation Order 2015 Amendment Order No.* 201* (ref: TRO-29-2016)

- 2.2 That, having taken account of all duly made representations and objections, Committee Members approve the leasing of public open space to the Bike Share Operator.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 A report seeking approval for the tendering of a concession agreement for the provision of a Bike Share Scheme for the city was first approved by Environment, Transport & Sustainability Committee on 24 November 2015. A subsequent report seeking approval of the extension of this contract to allow for a 'mobilisation period' of a maximum of seven months was approved by the Committee on 11 October 2016.
- 3.2 The winning bidder (the Operator), Hourbike Ltd, was subsequently appointed in December 2016.
- 3.3 The scheme area has been based on the public cycle hire Business Case completed for the council by SDG consultants in 2014. This took account of a range of factors to determine an area of the city where the first roll out of a cycle hire scheme could be successful based on a range of demographic information. This included consideration of factors such as population density, car ownership and trip attractors.
- 3.4 The identification of sites within the scheme area has used previous work undertaken for the council by JMP consultancy (2009). This has been modified where appropriate to reflect the number of locations (50) and bikes (430) identified within the Business Case as well as to provide an appropriate hub density. The aim is generally for hubs to be within at least 500m of each other, though in parts of the city, particularly the city centre, the density of hubs will be higher.
- 3.5 A full list of the 50 provisional sites is provided at Appendix B. This list has been made available on the council's website following requests from residents. However, it should be noted that all are subject to agreement with the Operator and detailed design of hub locations. Sites on private land will also be subject to agreement between the Operator and landowner.
- 3.6 Specific site considerations have included the prominence and accessibility of a site as well as the impact on car parking and pedestrians. Efforts have been made to minimise the loss of car parking and consequently only nine of the 50 sites will result in a loss of permanent parking and for one of these (Abbey Road)

parking will be re-provided in close proximity. The proposed George Street location will also result in the removal of parking, though this is located within the restricted area meaning that parking is currently only accessible during evenings and on Sundays.

- 3.7 Of the locations resulting in a loss of parking, four spaces are in Controlled Parking Zone N (central Hove) (excluding spaces in George Street) and two in Zone Y (north central Brighton). Both of these zones are currently subject to a waiting list for permits. There is no waiting list for permits in the other zones affected.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Potential sites outside of the area identified within the Business Case have not been considered further at this stage. This is in order to maximise the financial sustainability of the scheme which is essential for its long-term success. Expansion to other parts of the city could be considered once usage within the initial scheme area has been established.
- 4.2 Where appropriate, footway locations have been considered before on-carriageway options. The location of Bike Share hubs on the footway or sites off the public highway needs to be carefully considered to ensure that pedestrian access, including for those with disabilities, is not impeded. Officers have also assessed the most appropriate hub locations which would be convenient for users (and therefore most likely to be well used). As such, the loss of parking in a small number of locations has been unavoidable.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Letters were sent to residents and traders in the vicinity of each site during August/ September 2016 informing them of the Bike Share proposals. Ward Members were also informed by email. Comments were invited within 21 days of receipt of the letter.
- 5.2 Meetings were held with residents or businesses at four of the locations.
- 5.3 Table 1 summarises the number of responses received either supporting or opposing the proposals in each location. It also indicates whether the design was subsequently amended prior to the Traffic Regulation Order being advertised.
- 5.4 The apparently low response rate is to be expected for schemes of this nature and reflects the scale of the proposals. It is also reasonable to expect that those content with the proposals would be less likely to reply to the consultation.
- 5.5 Objections centred on the loss of parking which officers have sought to address. Additional concerns were raised in respect of the Whitecross Street proposal. These were repeated at the Traffic Regulation Order consultation stage and are considered further below.

Table 1: Summary of Initial Consultation

Location	Addresses Informed	Support	Objections	General	Subsequent Amendments to Proposal
Abbey Road	22	1	0	0	
Brunswick Place	Loading bay notice	0	2	0	
Eaton Road	135	0	3	2	
Edward Street	0	0	0	0	
George Street	31	0	3	2	Moved from northern to southern end. Site selected to minimise impact on shop frontage.
Montague Place	49	0	1	1	
Sussex Square/ Rock Street	81	2	2	0	Location moved to Rock Street. Confirmed hub size would have resulted in greater loss of parking than envisaged at Sussex Square.
Shaftesbury Place	22	0	2	0	Location revised with agreement of Ditchling Rise Area Residents' Association (DRARA).
Station Approach	44	1	1	0	
St George's Road	83	0	3	1	
St James's Street	16	0	0	0	
Whitecross Street	24	0	2	0	

5.6 Following the informal consultation, the Traffic Regulation Orders were advertised on Friday 20 January 2017 for a period of 21 days. The consultation period ended on Friday 10 February 2017.

5.7 The Traffic Regulation Orders received 6 objections and 2 general representations in support from Bicycles and Brighton & Hove Friends of the Earth. The reasons for objections are included in Table 2 along with the officer response.

Table 2: Summary of TRO Responses

Comment	Number	Officer Response
Eaton Road (1 Response)		
Support for scheme but opposed to loss of parking in this location- taxi rank should be used instead.	1	The proposed hub will partly be located in an area of carriageway not used for car parking, therefore limiting the reduction in this location to one space. The taxi rank has been reported by residents to be underutilised. It has not been considered further for a Bike Share location. Were there sufficient support to do so, the demand for the rank and its size could be

		reviewed independently of the Bike Share scheme process.
Shaftesbury Place (2 Response)		
Proposed site would obstruct street food business	1	This site was selected in discussion with Ditchling Rise Area Residents' Association (DRARA) as an alternative to the originally proposed location (informal consultation). Previously this location had two unused disabled parking bays which were also removed at the request of DRARA. It is considered that the commercial operation could continue and off-street parking arrangements would be unchanged from the historic situation.
Site would not be well used in this location.	1	Sites have been identified in accordance with the Business Case (see Section 3 above). Usage of all sites will be monitored by the Operator.
Access denied to premises	1	The footprint of the proposed bike share hub would be no greater than the historic parking arrangement and access to businesses is retained
St Georges' Road (2 Responses)		
Loss of parking	2	As noted in Sections 3 and 4 above, every effort has been made to minimise the loss of parking as a result of the scheme as a whole and at specific locations.
The facility would not be for use by residents as those who cycle have their own bikes. The facility will result in potential disturbance for residents.	1	Based on experience elsewhere and the Business Case for the scheme, the expectation is that the scheme will benefit residents as well as visitors and employees in the city. This is particularly the case in central areas where many residents do not have facilities to store their own bikes. There is no reason to suspect that the Bike Share locations will result in greater disturbance for residents than existing parking or cycle parking. Any issues with individual sites and levels of usage will be monitored and where necessary alternative locations considered.
Whitecross Street (2 Responses)		
Unacceptable impact on visually impaired users, particularly in respect of crossing.	1	The proposed hub is located in place of car parking, not marked crossing points. It would be located on and accessed from the carriageway not the footway. In this respect it is no different to existing cycle access arrangements.
Trafalgar Street/ Whitecross Street experience congestion, including vehicles queuing at car park entrance. Hub will create further congestion.	2	The hub is in place of car parking and there is no reason to expect it will add to further congestion. On the contrary, the scheme would provide an alternative option to private car use.
Large vehicles loading on Whitecross Street present a hazard to road users and would be a danger to future hub users.	2	No loading areas or carriageway space not currently designated for car parking will be removed. The situation will therefore remain unchanged.
Hubs will add to street clutter.	2	Planning and Conservation officers are being consulted as appropriate. The contract will provide for maintenance

		of the hub locations.
Loss of car parking.	2	As noted in Sections 3 and 4 above, every effort has been made to minimise the loss of parking as a result of the scheme as a whole and at specific locations.
Site assessments have not been undertaken at a representative time and images presented are misleading.	1	Site visits have been completed at various times. Any images presented in site assessment material are intended to illustrate the location as opposed to be representative of traffic conditions at any one time.
Alternative locations have not been given adequate consideration.	2	Station Street and an area of land adjacent to Trafalgar Street car park were investigated as alternatives at the suggestion of objectors. These were considered to risk greater conflict between cyclists and pedestrians. The available footprint and underground services also meant that the sites faced technical constraints. More broadly, amendments to sites have been progressed where they are feasible from a design perspective (see Table 1). There is also a need to consider the prominence of hub sites and the location of these as part of the wider Bike Share network.
General		
Support for the scheme, including request that all proposed sites be progressed.	2	
The Business Case is not sound.	2	The Business Case has undergone a rigorous assessment by the Capital to Coast LEP as a pre-requisite for the granting of funding for the scheme.
Equalities implications have not been considered.	2	An Equalities Impact Assessment has been prepared (see paragraph 7.4).

5.8 An additional representation was received in respect of the Montague Place location. This concerned an alternative location to minimise parking loss. Clarification has been provided by officers and this has not been recorded as a formal objection.

5.9 Open Spaces notices were advertised for sites on public open space on 10 February with the closing period for comments being the 3 March. At the time of writing, no representations have been received.

6. CONCLUSION

6.1 Having taken into account the results of the consultation and alternative solutions/proposals where feasible as detailed above, officers recommend the Traffic Regulation Orders be approved as advertised and the Bike Share hubs implemented as planned.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The capital costs associated to the recommendations in the report will be funded from the approved budget for the Bike Share/Hire Scheme. The Bike Share/Hire Scheme capital project is funded from £1.160 million Local Growth Fund grant and £0.290m Local Transport Plan funding.
- 7.2 It is estimated that the loss of parking income associated to the recommendations will be approximately £0.024m per year. This will be monitored as part of the budget monitoring process, and any recurring impact could be incorporated in future years budgets when detail on loss of income becomes more robust and can be accurately forecast.

Finance Officer Consulted: Gemma Jackson

Date: 15/2/17

Legal Implications:

- 7.3 The Council regulates traffic by means of orders made under the Road Traffic Regulation Act 1984. The procedure for advertising a proposed TRO is contained in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 which require public notice of orders to be given and allow any person to object to the making of an order. Any unresolved objections to an order must be considered by the Environment, Transport & Sustainability Committee before it can be made.

Under the Open Spaces Act 1906 the Council holds and administers open space in trust for the enjoyment of the public as an open space and for no other purpose. The purpose of advertising the proposals for the installation of the Bike Share hubs on open space land was to enable the public to respond to the proposals and to enable the Council to consider the objections before taking any decision.

It is not considered that any adverse human rights implications arise from the report.

Lawyer Consulted: Stephanie Stammers

Date: 16.02.17

Equalities Implications:

- 7.4 The needs of all road users have been considered in the siting of locations and an Equalities Impact Assessment has been completed. Considerations have included the impact on wheelchair users and pedestrians with visual impairments of footway locations. This is provided at Appendix 3.

Sustainability Implications:

- 7.5 The measures outlined in this report will promote and encourage greater use of sustainable transport and, in particular, overcome current barriers to cycling. The scheme will also seek to enhance health by encouraging active travel amongst local people.

Crime & Disorder Implications:

- 7.6 None foreseen.

Risk and Opportunity Management Implications:

- 7.7 Sites have been identified by reference to the Business Case. The risk of hubs not being well used is minimised by selecting appropriate and prominent locations. Use of the scheme and individual hub sites will be monitored by the operator and sites reviewed as required across the lifetime of the scheme.

Public Health Implications:

- 7.8 In providing public cycle hire facilities, the proposal improves the attractiveness and convenience of cycling. It is therefore an important part in encouraging higher levels of cycling which in turn has positive public health implications.

Corporate / Citywide Implications:

- 7.9 The proposals detailed within this report are consistent with the Council's priorities outlined within the Corporate Plan 2015-2019. Specifically, the proposals will support local businesses by providing opportunities for additional customers to arrive by bicycle. They will also support efforts to improve the health and well-being of the city's residents and improving the sustainability of its transport infrastructure.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix 1 Cycle Parking Plans
2. Appendix 2 Provisional Sites List
3. Appendix 3 Equalities Impact Assessment

Documents in Members' Rooms

1. None

Background Documents

1. None